

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X
AVERY GREEN,

Petitioner,

-against-

PAUL CHAPPIUS,

Respondent.
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USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 1/31/2020

17 CIVIL 3129 (VB)

JUDGMENT

It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Order dated January 30, 2020, the R&R is adopted as the opinion of the Court, and the petition for a writ of habeas corpus is DENIED. As petitioner has not made a substantial showing of the denial of a constitutional right, a certificate of appealability will not issue. See 28 U.S.C. § 2253(c)(2); Love v. McCray, 413 F.3d 192, 195 (2d Cir. 2005). The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal from the order would not be taken in good faith, and therefore in forma pauperis status is denied for the purpose of an appeal. See Coppedge v. United States, 369 U.S. 438, 444-45 (1962); accordingly the case is closed.

Dated: New York, New York
January 31, 2020

RUBY J. KRAJICK

Clerk of Court

BY:

Kmango

Deputy Clerk